Reg. No. KL/TV(N)/[illegible]

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Wednesday, 28th November 1984 / 7th Agrahayana 1906 [No. 1012

GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 16598/Leg/C2/84/Law. *Dated, Trivandrum, 28th November, 1984/ 7th Agrahayana, 1906.*

The following Ordinance promulgated by the Governor on the 28th day of November, 1984, is hereby published for general information.

By order of the Governor,

K. Sreedharan,
Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/4856/MC

ORDINANCE No. 74 OF 1984

THE KERALA PANCHAYATS (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fifth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Panchayats Act, 1960 and for certain matters incidental thereto.

Preamble.—WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Kerala Panchayats (Amendment) Ordinance, 1984 (69 of 1984), promulgated by the Governor of Kerala on the 30th day of September, 1984, will cease to operate on the 3rd day of December, 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 22nd day of October, 1984 and ended on the 5th day of November, 1984;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Panchayats (Amendment) Ordinance, 1984.

(2) Section 3 of this Ordinance shall be deemed to have come into force on the 1st day of September, 1984 and the remaining provisions shall be deemed to have come into force on the 30th day of September, 1984.

2. *Act 32 of 1960 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Panchayats Act, 1960 (32 of 1960) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of section 11.*— In section 11 of the principal Act, in sub-section (1), the proviso shall be omitted.

4. *Special provision for vesting of the powers, functions and duties of certain Panchayats in the Government for temporary period.*—Notwithstanding anything to the contrary contained in the principal Act or in any rule or bye-law made thereunder or in any judgement, decree or order of any court, in the case of every Panchayat the term of office of the members of which expires on the 30th day of September, 1984, the powers, functions and duties of the Panchayat and of its President shall, by virtue of this section, be vested in the Government for a period not exceeding six months from the date immediately succeeding the said date and the powers, functions and duties so vested shall be exercised and discharged by the Government in accordance with such rules as may be prescribed by them in that behalf.

5. *Repeal and saving.*—(1) The Kerala Panchayats (Amendment) Ordinance, 1984 (69 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance or under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under this Ordinance or under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 9688/Leg. C2/84/Law. *Dated, Trivandrum, 28th November, 1984/ 7th Agrahayana, 1906.*

The following Ordinance promulgated by the Governor on the 28th day of November, 1984, is hereby published for general information.

By order of the Governor,

K. Sreedharan,
Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS
TRIVANDRUM, 1984.

33/4855/MC.

ORDINANCE No. 73 OF 1984

THE KERALA MUNICIPALITIES (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fifth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Municipalities Act, 1960.

Preamble.—WHEREAS the Kerala Municipalities (Amendment) Ordinance, 1982 (2 of 1982), was promulgated by the Governor of Kerala on the 30th day of September, 1982;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Municipalities (Amendment) Ordinance, 1983 (10 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 10 of 1983 by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 10 of 1983, the Kerala Municipalities (Amendment) Ordinance, 1983 (24 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 24 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 24 of 1983, the Kerala Municipalities (Amendment) Ordinance, 1984 (1 of 1984), was promulgated by the Governor of Kerala on the 5th day of January, 1984;

AND WHEREAS a Bill to replace Ordinance 1 of 1984 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 2nd day of March, 1984 and ended on the 27th day of March, 1984;

AND WHEREAS the maximum period of seventy-two months upto which the Government may extend the time for election of councillors of a newly constituted Municipality under sub-section (2) of section 412 of the Kerala Municipalities Act, 1960 (14 of 1961), as amended by Ordinance 1 of 1984 would have expired on the 31st day of March, 1984, in the case of the Kothamangalam Municipality;

AND WHEREAS it was necessary to extend the period within which the election of the councillors of the said municipality were to be held for a further period;

AND WHEREAS it was necessary to empower the Government to extend the period upto which the election of councillors of a newly constituted municipality may be postponed from seventy-two months to eighty-four months;

AND WHEREAS in order to keep alive the provisions of Ordinance 1 of 1984, with the above modification, the Kerala Municipalities (Amendment) Ordinance, 1984 (21 of 1984), was promulgated by the Governor of Kerala on the 31st day of March, 1984;

AND WHEREAS a Bill to replace Ordinance 21 of 1984 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 18th day of June, 1984 and ended on the 27th day of July, 1984;

AND WHEREAS in order to keep alive the provisions of Ordinance 21 of 1984, the Kerala Municipalities (Amendment) Ordinance, 1984 (53 of 1984), was promulgated by the Governor of Kerala on the 28th day of July, 1984;

AND WHEREAS a Bill to replace Ordinance 53 of 1984 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which

commenced on the 22nd day of October, 1984 and ended on the 5th day of November, 1984;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 53 of 1984 will cease to operate on the 3rd day of December, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Municipalities (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 30th day of September, 1982.

2. *Act 14 of 1961 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Municipalities Act, 1960 (14 of 1961) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of section 412.*—In sub-section (2) of section 412 of the principal Act, for the words "forty-five months", the words "eighty-four months" shall be substituted.

4. *Repeal and saving.*—(1) The Kerala Municipalities (Amendment) Ordinance, 1984 (53 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR

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Government of Kerala
1984

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 10193/Leg-C3/84/Law. *Dated, Trivandrum, 28th November, 1984/ 7th Agrahayana, 1906.*

The following Ordinance promulgated by the Governor on the 28th day of November, 1984, is hereby published for general information.

By order of the Governor,

K. Sreedharan,
Law Secretary.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

53/4857/MC.

ORDINANCE No. 75 OF 1984

THE KERALA LABOUR WELFARE FUND (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fifth Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Labour Welfare Fund Act, 1975.

Preamble.—WHEREAS the Kerala Labour Welfare Fund (Amendment) Ordinance, 1984 (18 of 1984), was promulgated by the Governor of Kerala on the 23rd day of February, 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 2nd day of March, 1984 and ended on the 27th day of March, 1984;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Labour Welfare Fund (Amendment) Ordinance, 1984 (22 of 1984), was promulgated by the Governor of Kerala on the 9th day of April, 1984;

AND WHEREAS a Bill to replace Ordinance 22 of 1984 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 18th day of June, 1984 and ended on the 27th day of July, 1984;

AND WHEREAS in order to keep alive the provisions of Ordinance 22 of 1984, the Kerala Labour Welfare Fund (Amendment) Ordinance, 1984 (62 of 1984), was promulgated by the Governor on the 30th day of July, 1984;

AND WHEREAS a Bill to replace Ordinance 62 of 1984 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 22nd day of October, 1984 and ended on the 5th day of November, 1984;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 62 of 1984 will cease to operate on the 3rd day of December, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Labour Welfare Fund (Amendment) Ordinance, 1984.

(2) Section 6 shall be deemed to have come into force on the 1st day of January, 1983 and the remaining provisions of this Ordinance shall be deemed to have come into force on the 25th day of February, 1984.

2. *Act* 11 *of* 1977 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Labour Welfare Fund Act, 1975 (11 of 1977) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 to 9.

3. *Amendment of section* 2.—In section 2 of the principal Act,—

(1) in clause (d),—

(a) in sub-clause (i),—

(i) in the opening paragraph, for the words "for a period of one hundred and fifty days in an year", the words "for an aggregate period of not less than thirty days during the preceding twelve months" shall be substituted;

(ii) in item (B), for the words "seven hundred and fifty rupees", the words "one thousand and five hundred rupees" shall be substituted;

(b) the Explanation at the end shall be omitted;

(2) in clause (f),—

(a) for sub-clause (iii), the following sub-clause shall be substituted, namely:—

"(iii) any land used for growing tea, rubber, coffee, cardamom, oil palm or cocoa, in which ten or more persons are employed or were employed in any day of the preceding twelve months;";

(b) in sub-clause (iv),—

(i) after the word, brackets and figure "clause (4)", the words, brackets and figure "or any shop within the meaning of clause (15)" shall be inserted;

(ii) the provisos shall be omitted.

4. *Amendment of section* 3.—In sub-section (2) of section 3 of the principal Act,—

(i) in clause (b), for the words, figures and brackets "Standing Order 20 of the Model Standing Orders issued under the Kerala Industrial Employment (Standing Orders) Rules, 1947", the words, figures and brackets "Standing Order 17 of the Model Standing Orders issued under the Kerala Industrial Employment (Standing Orders) Rules, 1958" shall be substituted;

(ii) clause (1) shall be omitted.

5. *Substitution of new section for section* 14.—For section 14 of the principal Act, the following section shall be substituted, namely:—

"14. *Interest on employers' and employees' contributions, unpaid accumulations or fines after notice of demand.*—(1) If an employer does not pay to the Fund any amount of the employers' and employees' contributions due under section 15 before the date specified in that section or does not pay to the Board any amount of the unpaid accumulations or fines realised from the employees within the time specified by or under this Act, the Commissioner may serve or cause to be served on such employer a notice to pay the amount within the period specified therein, which shall not be less than thirty days from the date of service of such notice.

(2) If the employer fails, without reasonable cause, to pay the amount specified in a notice issued under sub-section (1) within the period specified therein, he shall be liable to pay, in addition to that amount, to the Fund or the Board, as the case may be, by way of penalty, simple interest at the rate of nine per cent per annum from the date on which the amount fell due:

Provided that the Government may, subject to such conditions as may be prescribed, remit the whole or any part of the penalty in respect of any period.".

6. *Amendment of section* 15.—In section 15 of the principal Act, in sub-section (1), for the words "fifty paise" and "one rupee", the words "one rupee" and "two rupees" shall respectively be substituted.

7. *Insertion of new section* 28A.—After section 28 of the principal Act, the following section shall be inserted, namely:—

"28A. *Penalties for other offences.*—(1) Whoever contravenes, or makes default in complying with, any of the provisions of this Act or of any rules or regulations made thereunder shall, if no penalty is provided in section 28 for such contravention or default, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(2) A court while passing a judgment convicting a person under sub-section (1) for making default in the payment of any amount due to the Fund or the Board shall also order that such amount be recovered from such person as if it were a fine imposed by such court and paid to the Fund or the Board, as the case may be.".

8. *Amendment of section* 29.—In sub-section (1) of section 29 of the principal Act, for the words "except on a complaint by, or with the previous sanction in writing of the Commissioner", the words "except on a complaint made by an Inspector with the previous sanction in writing of the Commissioner" shall be substituted.

9. *Amendment of section* 31.—In section 31 of the principal Act,—

(a) for the words "the date on which the offence is alleged to have been committed", the words "the date on which the offence came to the notice of the Inspector" shall be substituted;

(b) the following proviso shall be inserted at the end, namely:—

"Provided that no court shall take cognizance of an offence punishable by or under this Act after the expiry of three years from the date on which the offence is alleged to have been committed.".

10. *Repeal and saving.*—(1) The Kerala Labour Welfare Fund (Amendment) Ordinance, 1984 (62 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR.

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1984

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Water and Power (Electricity-A) Department

NOTIFICATION

No. 27861/ELA2/84/W&P. *Dated, Trivandrum, 28th November,* 1984.

S. R. O. No. 1485/84.—In exercise of the powers conferred bySection 5 of the Electricity (Supply) Act, 1948 (Central Act 54 of 1948), read with rule 3 of the Kerala State Electricity Board Rules, 1957, the Government of Kerala hereby reconstitute the Kerala State Electricity Board with effect from the 1st day of December, 1984 with the following Members, namely:—

1. Shri P. Kesava Pillai,
   Technical Member,
   Kerala State Electricity Board — Chairman.

2. Shri V. Sukumaran Nair,
   Accounts Member,
   Kerala State Electricity Board — Accounts Member

3. Shri K. John Mathai, I.P.S.,
   Inspector General of Police,
   Vigilance & Security,
   Kerala State Electricity Board — Member

33/4862/MG

4. Sri Varkey George, Ancheril, Kottayam — Member

5. Sri G. Gopalakrishna Pillai, Secretary to Government of Kerala Water and Power Department — Department Member

6. Sri K. V. Rabindran Nair, Commissioner and Secretary to Government of Kerala Finance Department — Member

The Chairman and Members of the Board shall hold office till the 30th day of November, 1985.

By order of the Governor,

G. GOPALAKRISHNA PILLAI,

Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

The term of the present Kerala State Electricity Board reconstituted in Government Notification No. 4451/ELA2/84/W&P dated 15-2-1984 expires on 30-11-1984. Government have now decided to reconstitute the Kerala State Electricity Board with the Members mentioned above. This notification is intended to achieve the above object.

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